

**MINUTES OF THE
POLITICAL SUBDIVISIONS INTERIM COMMITTEE**
Wednesday, July 19, 2006 – 2:00 p.m. – W025 House Building

Members Present:

Sen. Carlene M. Walker, Senate Chair
Rep. Brad L. Dee, House Chair
Sen. Wayne L. Niederhauser
Rep. Julie Fisher
Rep. Ann W. Hardy
Rep. Karen W. Morgan
Rep. Joseph G. Murray
Rep. Peggy Wallace
Rep. Larry B. Wiley

Members Absent:

Sen. Fred J. Fife
Pres. John L. Valentine
Rep. David N. Cox
Rep. Kerry W. Gibson
Rep. Brad King
Rep. M. Susan Lawrence

Staff Present:

Mr. Joseph T. Wade, Policy Analyst
Mr. Robert H. Rees, Associate General Counsel
Ms. Wendy L. Bangerter, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Dee called the meeting to order at 2:15 p.m.

MOTION: Rep. Hardy moved to approve the minutes of the June 21, 2006 meeting. The motion passed unanimously with Sen. Niederhauser absent for the vote.

Newly appointed Sen. Wayne L. Niederhauser was introduced. He replaced Sen. Alma Mansell, who resigned his senate seat.

2. Primary Elections for Special Districts

Sen. Patrice Arent explained that state statute prohibits primary elections for special districts [Subsection 17A-1-305(5)].

Mr. Tom Bowen, concerned citizen, distributed a copy of the ballot results for Cottonwood Heights Park and Recreation District from November 8, 2005. The ballot illustrated how a primary election would have been beneficial because of the number of candidates listed. Mr. Bowen recommended a change in statute to allow a primary election when it is appropriate.

Mr. Mark H. Anderson, Utah Association of Special Districts, discussed two reasons for not holding primary elections for special districts: 1) the increased costs; and 2) it is rare to have more than two candidates for a special service district election. He responded to questions regarding separate voting locations from municipal elections that causes confusion and lower voter turnout. He stated that special district boundaries rarely coincide with the boundaries involved in a municipal election. He illustrated the poor voter turnout in a special district election, even when their judges and booths were posted next to the municipal booths. He did not recommend major statute changes, but asked that if there were changes made, the cost of an election be saved when there are only two candidates by declaring them elected.

Ms. Christy Achziger, Special District 12, spoke in favor of legislating a nonmandatory primary election.

3. Local Government Land Use Referendums

Rep. David Hogue, study sponsor, presented issues and recommendations regarding land use referendums. He referred to Utah Constitution, Article VI, Section 1, pointing out the conflict between statute and the constitution.

4. Penalty for Using Public Funds to Promote Political Issues

This issue was postponed until a future agenda.

5. Authorization of Opinion Questions to Voters

Sen. Ed Mayne, study sponsor, discussed S.B. 131 that would establish a process for submitting a nonbinding opinion question to the voters of Utah. He emphasized the nonpartisan status of the bill.

Ms. Sandy Peck, Executive Director, League of Women Voters, distributed and reviewed a statement from the League of Women Voters encouraging legislative support for S.B. 131, "Authorization of Opinion Questions to Voters."

6. Other Items / Adjourn

MOTION: Rep. Wallace moved to adjourn the meeting. The motion passed unanimously.

Chair Dee adjourned the meeting at 3:45 p.m.